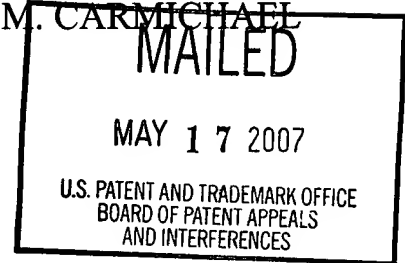


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBERT C.U. YU, ANTHONY M. HORGAN, SATCHIDANAND
MISHRA, DONALD C. VON HOENE, BING R. HSIEH, EDWARD F.
GRABOWSKI, RICHARD L. POST, and KATHLEEN M. CARMICHAEL

Application 09/683,329
Technology Center 1700



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on March 5, 2007¹. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing is identified below:

The Examiner's Answer mailed December 1, 2006, is considered a Supplemental Examiner's Answer and is deficient in that it fails to have a Technology Center Director's signature or designee as outlined in the *Manual of*

¹This is the second "ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER." The first Order, issued on September 22, 2006, required the Examiner to issue a corrected Examiner's Answer and consider a timely filed Reply Brief. The record does not reflect that the Examiner has considered the Reply Brief received February 17, 2006.

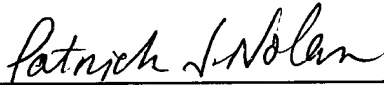
Patenting Examining Procedure (MPEP) § 1207.05. (“Every supplemental [E]xaminer's [A]nswer must be approved by a Technology Center (TC) Director or designee.”) Further review of the Examiner’s Answer reveals that the Examiner has failed to issue the required form paragraph in his Examiner’s Answer. “The Examiner may use form paragraph 12.185 in preparing the Supplemental Examiner's answer responding a remand by the Board for further consideration of a rejection.” *Again see MPEP* § 1207.05. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- (1) to issue a corrected Supplemental Examiner’s Answer that provides the required signature and content pursuant to *MPEP* § 1207.05; and
- (2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

PJN/hh

Application 09/683,329

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